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Representative Aaron Michlewitz
Chair, House Committee on Ways and Means
Representative Claire D. Cronin
Chair, Joint Committee on the Judiciary
Massachusetts House of Representatives
State House
Boston, MA 02133

Dear Representative Aaron Michlewitz,

I am writing to you concerning Senate 2820, *“An Act to Reform Police Standards and Shift Resources to Build a more Equitable, Fair and Just Commonwealth that Values Black Lives and Communities of Color”* submitted to the House on July 15, 2020.

Senate Bill 2820 is imprudent, hasty and emotionally impulsive. Poorly crafted legislation leads to poorly administration of law.

More specifically, I steadfastly do not support the vicissitude of qualified immunity for municipal workers, especially police officers. If you believe altering qualified immunity in this manner will serve our citizens better, you sadly mistaken. It will only cause more harm than good to our communities. The shift in liability onto the individual police officer will force them to alter their policing practices so as to protect themselves from liability and persecution of civil suits. It will have an equal and opposite effect. It is imperative that you understand this fact. Drastically alerting qualified immunity is an error; and errors do not cease to be errors simply because elected officials enacted them into law.

Furthermore, with police officers now having to alter the policing duties to shield themselves from civil liability, what will be the ultimate cause and effect concerning the crime rate in your representative district? Do you think removing qualified immunity will decrease the crime rate? Or will the rate of crime increase because police officers are hesitant and constantly fearful about liability every time they are required to place handcuffs on a defendant?

“Justice will not be served until those who are unaffected are as outraged as those who are.”
— Benjamin Franklin

In closing, I urge you let the precedent of qualified immunity as written today.

Sincerely,


Kyle P. Heagney
Chief of Police